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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

September 15, 1997

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W. - Suite 222
Washington, DC 20554

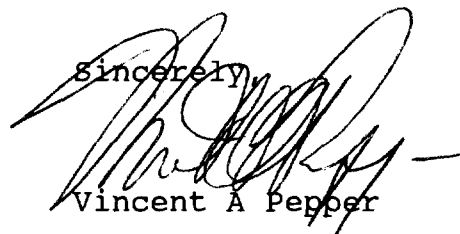
RE: **Comments of WWAC, Inc.,
Licensee of WWAC(TV), Atlantic City, NJ
ET Docket 97-157**

Dear Mr. Caton:

Transmitted herewith is the original and nine (9) copies of the Comments of WWAC, Inc., filed on behalf of WWAC, Inc., licensee of Station WWAC(TV), Atlantic City, New Jersey, in the above-reference proceeding.

Should you have any questions, please contact undersigned counsel.

Sincerely,



Vincent A. Pepper

Counsel for WWAC, Inc.

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

SEP 15 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Reallocation of Television) ET Docket No. 97-157
Channels 60-69, the 746-806)
Band)

TO: The Commission

COMMENTS OF WWAC, INC

I. INTRODUCTION

WWAC, Inc., by and through its attorneys, hereby submits the following Comments in the above-reference proceeding. WWAC, Inc. is the licensee of Station WWAC(TV), Atlantic City, New Jersey.

In a separate rulemaking proceeding, the Commission adopted the DTV Table of Allotments which causes severe short-spacing between television stations in the North-East Corridor.^{1/} As a result, WWAC, Inc., along with other licensed facilities in the region, are precluded from upgrading their facilities to increase power, or to move the transmitter site beyond five kilometers from its current site.

These restrictions are caused by the Commission's intention to limit the spectrum available for television broadcasting to a "core" region. It is the Commission's intention, acting on

^{1/} In re Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service, Fifth Report and Order, MM Dkt. 87-268, FCC 97-116 (rel. Apr. 21, 1997); In re Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service, Sixth Report and Order, MM Dkt. 87-268, FCC 97-115 (rel. Apr. 21, 1997).

congressional authority, to auction the spectrum outside of the "core" region to be used for other services.

This proceeding is one such example of this intention. Rather than reserve Channels 60-69 for television broadcasting, thus relieving television stations from devastating short-spacing restrictions, the Commission proposes to auction a portion of this spectrum for fixed and mobile services.

II. THE COMMISSION MUST ESTABLISH RULES TO PROTECT ALL OPERATING TELEVISION STATIONS OPERATING IN THIS BAND OF CHANNELS.

Concurrent with this pleading, WWAC, Inc. is filing a Further Petition for Reconsideration in the DTV rulemaking, requesting that the Commission grant those television stations that are restricted by the severe congestion in the "core" region an allocation outside the "core" region during transition.

In its pleading, WWAC, Inc. proposes that, upon the reclamation of either the NTSC or DTV spectrum, the Commission locate available spectrum within the "core" region for the use of WWAC, and other similarly-situated stations. Further, during the transition, WWAC, Inc. proposes that these stations receive protection as if they were an existing facility, as defined in the Notice of Proposed Rulemaking in this proceeding. ¶ 17

Accordingly, WWAC, Inc. supports the Commission's proposal to protect those television stations operating on Channels 60-69 during the transition to Digital television. Further, WWAC, Inc. encourages the Commission to adopt rules to protect those television stations that remain on these channels after the

transition, should available spectrum not become available inside the "core" region.

This would allow for the efficient use of spectrum by placing the maximum number of television stations within the "core" region, and would serve the public interest by allowing those facilities which currently operate at less-than-maximum facilities to upgrade their facilities to better serve the public.

III. CONCLUSION

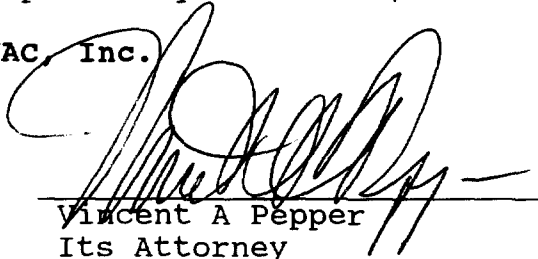
Therefore, WWAC, Inc. supports the proposed rule to protect existing television stations from interference caused by the introduction of fixed and mobile services in the Channel 60-69 band.

Additionally WWAC, Inc. proposes to extend this protection to those stations that are placed on these channels to alleviate severe short-spacing within the DTV Table of Allotments during the transition, and after that period, if necessary.

Respectfully submitted,

WWAC, Inc.

By


Vincent A. Pepper
Its Attorney

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September 15, 1997

CERTIFICATE OF SERVICE

I, Lisa A. Skoritoski, a secretary for Pepper & Corazzini, do hereby certify that a copy of the foregoing Comments of WWAC, Inc. was sent via first class mail, or hand-delivered as indicated, to the following parties on September 15, 1997:

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